

EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOSEPH MANTHA, *on behalf of himself
and all others similarly situated,*

Plaintiff,

v.

QUOTEWIZARD.COM, LLC,

Defendant.

Civil Action No. 1:19-cv-12235-LTS

AFFIDAVIT OF MATTHEW WEEKS

I, Matthew Weeks, do hereby state as follows:

1. I am over the age of 18, of sound mind, and competent to testify as set forth herein.
2. I make this Affidavit in support of QuoteWizard's Opposition to the Motion for Class Certification in the above-captioned case.
3. I am a current employee of QuoteWizard. I hold the position of Director of Data Partnerships. In my role as Director of Data Partnerships, my responsibilities include managing a team responsible for QuoteWizard's relationships with its Lead Vendors and overseeing the finances associated with those relationships.
4. I have personal knowledge of the matters set forth in this Affidavit based on my review of QuoteWizard's business records and based on my personal experience working at QuoteWizard.
5. The matters set forth in this Affidavit are true and accurate based on records kept by QuoteWizard.com, LLC ("QuoteWizard") in the ordinary course of its business relating to the matters at issue in this lawsuit.

6. The matters set forth in this Affidavit are also based on my knowledge of QuoteWizard's policies and practices with respect to contacting consumers.

7. It is QuoteWizard's policy and practice only to contact consumers who request information about insurance quotes or comparison options.

8. QuoteWizard does not "cold call" consumers whom it has no reason to believe requested information about insurance quotes or comparison options.

9. Rather, QuoteWizard acquires leads—that is, collections of data consisting of contact and other information relating to individual prospective customers who express interest in QuoteWizard's services—when customers request information about insurance quotes or comparison options.

10. During all times relevant to this lawsuit, it has been QuoteWizard's policy and practice that consumers who request information or services from QuoteWizard must give QuoteWizard their express written consent to be contacted before QuoteWizard will contact them by text message or other means.

11. Apart from the lead associated with Plaintiff Joseph Mantha ("Plaintiff"), QuoteWizard is aware of no other circumstances in which one of the other leads it obtained originated from a "pirated website."

12. Apart from the lead associated with Plaintiff, QuoteWizard is aware of no other circumstances in which the recorded IP addresses in its files linked to a particular lead are not, in fact, associated with the corresponding lead.

13. Apart from the lead associated with Plaintiff, QuoteWizard is aware of no other circumstances in which Plural Marketing Group ("Plural") incorrectly associated a LeadID with a consumer through its own error.

14. On or about August 8, 2022, QuoteWizard, through counsel, purchased 75 TCPA Guardian Reports from Jornaya for \$200 per report, at a total cost of \$15,000.

15. Should this matter proceed to trial, additional TCPA Guardian Reports are available to establish consent for thousands of putative class members, albeit at a considerable cost likely to total in the millions of dollars.

16. QUOTEWIZARD000948¹, a record produced by QuoteWizard in discovery, contains evidence of several consumers' consent to be contacted. The consent language associated with several such consumers states:

By checking, you authorize up to 3 insurance companies (or their agents) and marketing partners to email and/or place marketing calls (including via text/SMS) to the phone number you provided above using automated telephone dialing systems and/or artificial or pre-recorded messages. You acknowledge that consent is not a condition to purchase goods or services, and that you may revoke your consent at any time.

17. QUOTEWIZARD001800², a record produced by QuoteWizard in discovery, contains evidence of several consumers' consent to be contacted. The consent language associated with several such consumers states:

By clicking the \Get Your Free Quote\ button, you agree that you are 18 years or older; you consent to our website Terms and Conditions and Privacy Policy; and you are giving your prior express written consent, via your electronic signature, for OttoInsurance.com or our marketing partners and/or their affiliates, whose names you acknowledge that you've have accessed and read, to contact you via email at the email address you provided above and to place telephone calls or text messages to the phone number you provided above using automated telephone dialing systems and artificial voice or pre-recorded calls intended to market auto insurance and other services, and consent for OttoInsurance.com to provide your personal information to our marketing partners. This consent applies to mobile numbers, if applicable, including those previously registered on any Federal and State Do Not Call (DNC) Registries. Reply STOP to opt-out of text messages. Your consent is not a condition to purchase goods or services; if you prefer to get your free quote

¹ The file name associated with this Bates number is: "INQUIR_INBOUND_PAGE DETAILS.csv"

² The file name associated with this Bates number is: "UNIONSQUAREMEDIA_INBOUND_PAGE DETAILS.csv"

without providing consent, call 888-804-5641 for a quote. You may revoke your consent at any time by contacting us here.

18. QUOTEWIZARD002076³, a record produced by QuoteWizard in discovery, contains evidence of several consumers' consent to be contacted. The consent language associated with several such consumers states:

By clicking Get My Quotes, I agree to the Terms of Service and Privacy Policy and authorize insurance companies, their agents and marketing partners to contact me about auto insurance and other non-insurance offers by telephone calls and text messages to the number I provided above. I agree to receive telemarketing calls and pre-recorded messages via an autodialed phone system, even if my telephone number is a mobile number that is currently listed on any state, federal or corporate \Do Not Call\ list. I understand that my consent is not a condition of purchase of any goods or services and that I may revoke my consent at any time. I understand that standard message and data rates may apply.

19. Based on the records that I reviewed and which were produced in discovery in this case, Mr. Mantha is the only individual in the proposed class whose Lead (i) originated on the Snappy Website (www.snappyautoinsurance.com) and (ii) was later sold by Plural to RevPoint Media, LLC.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 14th day of February, 2024.

DocuSigned by:
/s/ Matthew Weeks
Matthew Weeks
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³ The file name associated with this Bates number is: "LEADGATEMEDIA_INBOUND_PAGE DETAILS.csv"